

# **SENATE, No. 488**

## **STATE OF NEW JERSEY**

### **219th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Senator CHRIS A. BROWN**

**District 2 (Atlantic)**

**Senator JAMES BEACH**

**District 6 (Burlington and Camden)**

**Co-Sponsored by:**

**Senator Turner**

**SYNOPSIS**

Establishes “County Tourism Incentive Grant Fund” within Department of Treasury to provide funding for grants to counties to support tourism advertising and promotion.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



**(Sponsorship Updated As Of: 2/10/2020)**

1    **AN ACT** establishing the “County Tourism Incentive Grant Fund”  
2        within the Department of the Treasury to provide funding for  
3        grants to counties to support tourism advertising and promotion,  
4        supplementing Title 52 and Title 54 of the Revised Statutes.

5  
6        **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7        *of New Jersey:*

8  
9        1.    a.    There is established in the Department of the Treasury a  
10       special, non-lapsing fund to be known as the “County Tourism  
11       Incentive Grant Fund.”

12       b.    The fund shall be administered by the State Treasurer, and  
13       shall be the repository for all excess State hotel and motel  
14       occupancy fee revenues appropriated and distributed to the  
15       Department of the Treasury for deposit to the fund pursuant to  
16       section 3 of P.L.     , c. (C.     ) (pending before the Legislature as  
17       this bill).

18       c.    The State Treasurer shall use all revenue deposited to the  
19       fund to issue annually, commencing with State fiscal year 2015,  
20       tourism incentive grants to counties pursuant to section 2 of P.L.     ,  
21       c. (C.     ) (pending before the Legislature as this bill).

22  
23       2.    a.    The State Treasurer shall issue annually, commencing  
24       with State fiscal year 2015, tourism incentive grants to counties  
25       from excess State hotel and motel occupancy fee revenues  
26       deposited to the “County Tourism Incentive Grant Fund”  
27       established pursuant to section 1 of P.L.     , c. (C.     ) (pending  
28       before the Legislature as this bill), for purposes of providing  
29       financial assistance to counties to support tourism advertising and  
30       promotion.

31       b.    To effectuate those purposes, the State Treasurer shall  
32       approve, on or before January 1, 2015 and on or before January 1 of  
33       each year thereafter, the issuance of a tourism incentive grant to  
34       each county that has, on or before October 1, 2014 and on or before  
35       October 1 of each year thereafter:

36       (1) made and filed an application with the State Treasurer  
37       seeking financial assistance from the fund for tourism advertising  
38       and promotion;

39       (2) submitted a statement to the State Treasurer detailing how  
40       financial assistance from the fund will be used by the county to  
41       support tourism advertising and promotion; and

42       (3) entered into an agreement with the State Treasurer requiring  
43       the county to use financial assistance from the fund to support  
44       tourism advertising and promotion, to not use financial assistance  
45       from the fund to reduce or eliminate the total amount of other funds  
46       currently used by the county to support tourism advertising and  
47       promotion, and to repay, with interest, the total amount of financial  
48       assistance issued to the county from the fund if the financial

1 assistance is not used to support tourism advertising and promotion  
2 or the financial assistance is used to reduce or eliminate the total  
3 amount of other funds currently used by the county to support  
4 tourism advertising and promotion.

5 c. The amount of each tourism incentive grant shall equal a  
6 county's share of the excess State hotel and motel occupancy fee  
7 revenues deposited to the fund, as shall be determined by the State  
8 Treasurer by dividing the revenues derived from hotel and motel  
9 occupancies occurring within the county by the sum of the revenues  
10 derived from hotel and motel occupancies occurring within the  
11 several counties that have been approved for the issuance of a grant  
12 and multiplying that amount by the excess State hotel and motel  
13 occupancy fee revenues deposited to the fund during the State fiscal  
14 year in which the tourism incentive grant is issued.

15 d. The State Treasurer shall make payment of each tourism  
16 incentive grant issued to a county at the times, and in the amounts,  
17 that the State Treasurer determines to be necessary and appropriate  
18 to effectuate the purposes of this section.

19  
20 3. Notwithstanding the provisions of any other law to the  
21 contrary, the annual appropriations act for each State fiscal year,  
22 commencing with State fiscal year 2015, that appropriates and  
23 distributes during that fiscal year amounts not less than the amounts  
24 otherwise specified for State fiscal year 2004 in paragraph (1) of  
25 subsection a. of section 2 of P.L.2003, c.114 (C.54:32D-2) for the  
26 purposes specified in paragraph (1) of subsection a. of section 2 of  
27 P.L.2003, c.114 (C.54:32D-2), shall, in addition, appropriate and  
28 distribute in any such State fiscal year, an amount equal to 100  
29 percent of the revenue from fees collected for occupancies during  
30 the preceding State fiscal year that are in excess of the revenue  
31 certified upon enactment of the annual appropriations act for that  
32 preceding State fiscal year as anticipated to be collected from such  
33 fee, which amount shall be appropriated and distributed to the  
34 Department of the Treasury for deposit to the "County Tourism  
35 Incentive Grant Fund" established pursuant to section 1 of P.L. ,  
36 c. (C. ) (pending before the Legislature as this bill).

37  
38 4. Notwithstanding the provisions of the "Administrative  
39 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), to the  
40 contrary, the State Treasurer may adopt immediately upon filing  
41 with the Office of Administrative Law such rules and regulations as  
42 the State Treasurer determines to be necessary and appropriate to  
43 effectuate the purposes of P.L. , c. (C. ) (pending before the  
44 Legislature as this bill), which rules and regulations shall be  
45 effective for a period not exceeding 360 days following the  
46 effective date of P.L. , c. (C. ) (pending before the  
47 Legislature as this bill) and may thereafter be amended, adopted, or

1 readopted by the State Treasurer in accordance with the  
2 requirements of P.L.1968, c.410 (C.52:14B-1 et seq.).

3  
4 5. This act shall take effect immediately.

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7 STATEMENT

8  
9 This bill establishes the “County Tourism Incentive Grant Fund,”  
10 and provides for the appropriation and distribution of excess State  
11 hotel and motel occupancy fee revenues for deposit to the fund to  
12 provide funding for grants to counties to support tourism  
13 advertising and promotion.

14 Under the bill, the “County Tourism Incentive Grant Fund” is  
15 established as a special, non-lapsing fund within the Department of  
16 the Treasury. The bill requires the fund to be administered by the  
17 State Treasurer, and provides for the fund to be used as a repository  
18 for all excess State hotel and motel occupancy fee revenues that are  
19 appropriated and distributed to the Department of the Treasury for  
20 deposit to the fund.

21 The bill requires the State Treasurer to use the excess revenues  
22 deposited to the fund to issue annually, commencing with State  
23 fiscal year 2015, tourism incentive grants to counties for purposes  
24 of providing financial assistance to counties to support tourism  
25 advertising and promotion. To effectuate that purpose, the bill  
26 authorizes the State Treasurer to approve, on or before January 1,  
27 2015 and on or before January 1 of each year thereafter, the  
28 issuance of an incentive grant to each county that has, on or before  
29 October 1, 2014 and on or before October 1 of each year thereafter:

30 -- made and filed an application with the State Treasurer;

31 -- submitted a statement to the State Treasurer detailing how  
32 financial assistance from the fund will be used to support tourism  
33 advertising and promotion; and

34 -- entered into an agreement with the State Treasurer requiring  
35 the county to use financial assistance from the fund to support  
36 tourism advertising and promotion, to not use financial assistance  
37 from the fund to reduce or eliminate the total amount of other funds  
38 currently used by the county to support tourism advertising and  
39 promotion, and to repay, with interest, the total amount of financial  
40 assistance issued to the county if the assistance is not used to  
41 support tourism advertising and promotion or the assistance is used  
42 to reduce or eliminate the total amount of other funds currently used  
43 by the county to support tourism advertising and promotion.

44 The bill provides that the amount of each incentive grant issued  
45 to a county will equal the county’s share of the excess State hotel  
46 and motel occupancy fee revenues deposited to the fund. The bill  
47 specifies that the county’s share of the excess revenues will be  
48 determined by the State Treasurer by dividing the revenues derived

1 from hotel and motel occupancies occurring within the county by  
2 the sum of the revenues derived from hotel and motel occupancies  
3 occurring within the several counties that have been approved for  
4 the issuance of a grant and multiplying that amount by the excess  
5 State hotel and motel occupancy fee revenues deposited to the fund  
6 during the State fiscal year in which the tourism incentive grant is  
7 issued.

8 The bill provides for tourism incentive grants to be funded from  
9 excess State hotel and motel occupancy fee revenues. The bill  
10 requires that, commencing with State fiscal year 2015, 100 percent  
11 of the revenues collected in excess of the amounts anticipated to be  
12 collected for the prior fiscal year from the State hotel and motel  
13 occupancy fee will be appropriated and distributed through the  
14 annual appropriations act to the Department of the Treasury for  
15 deposit to the “County Tourism Incentive Grant Fund.”

16 The bill authorizes the State Treasurer to adopt rules and  
17 regulations necessary to effectuate the purposes of the bill, and  
18 permits the immediate filing of those rules and regulations with the  
19 Office of Administrative Law, effective for a period not to exceed  
20 360 days following the bill’s effective date.

21 The bill takes effect immediately upon enactment.